

### **REMARKS**

The following remarks are responsive to the Second Notification of Non-Compliant Appeal Brief (dated August 28, 2007). Although the only outstanding issue raised in the Second Notification is a defective computer readable form ("CRF") of the Sequence Listing, Appellants submit herewith a second Replacement Appeal Brief (and corresponding Appendices), at the Examiner's suggestion.

#### **CRF Diskette Problem Report**

In response to the First Notification of Non-Compliant Appeal Brief dated March 14, 2007, Appellants submitted a replacement CRF of the Sequence Listing, to replace the blank CRF that was originally submitted. However, based on the Second Notification of Non-Compliant Appeal Brief (dated August 28, 2007), it appears that the replacement CRF submitted on June 6, 2007 was also defective.

Specifically, the Examiner indicates that the replacement CRF submitted on June 6, 2007 was defective (*i.e.*, damaged or unreadable) and requests that Appellant submit (A) a replacement CRF of the Sequence Listing, (B) a replacement paper copy of the Sequence Listing, (C) an Amendment directing entry of the Sequence Listing into the application, (D) a statement verifying that the content of the paper and CRF copies are the same, and (E) a copy of the CRF Problem Report.

With respect to the Examiner's assertion that an Amendment directing entry of the Sequence Listing into the application is required, Appellants respectfully note that the Sequence Listing filed herewith is identical to the Sequence Listing as originally filed. Accordingly, a statement directing entry of the Sequence Listing into the specification should *not* be necessary, since the Sequence Listing is already pending in the specification. Instead, Appellants should only be required to submit a replacement CRF of the Sequence Listing, *i.e.*, to replace the damaged CRF that was previously submitted.

Notwithstanding, in order to be fully responsive to the Examiner's request, Appellants submit herewith submit (A) a replacement CRF of the Sequence Listing, (B) a replacement paper copy of the Sequence Listing, (C) an Amendment directing entry of the Sequence Listing into the application, (D) a statement verifying that the content of the paper and CRF copies are the same, and (E) a copy of the CRF Problem Report.

Miscellaneous

Appellants respectfully note that Celldex Therapeutics, Inc. is a current licensee of the present application. Accordingly, the replacement Appeal Brief submitted herewith contains an amended Real Party of Interest statement (page 2), which includes Celldex Therapeutics Inc. as a real party of interest.

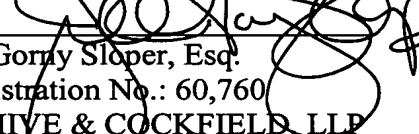
CONCLUSION

Responsive to the foregoing issues, Appellants assert that this second replacement Appeal Brief corrects the deficiencies noted in the Notification of Non-Compliant Appeal Brief dated August 28, 2007.

Appellants believe that no fee is associated with the filing of this response. However, should any fee be due, please charge such fee to our Deposit Account No. 12-0080, under Order No. RUJ-001CNCPRCE2, from which the undersigned is authorized to draw.

Dated: September 28, 2007

Respectfully submitted,

By   
Jill Gorny Sloper, Esq.  
Registration No.: 60,760  
LAHIVE & COCKFIELD, LLP  
One Post Office Square  
Boston, Massachusetts 02109-2127  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney For Appellants